

ST. AUGUSTINE PORT, WATERWAY & BEACH DISTRICT
MINUTES OF REGULAR MEETING
Tuesday, May 18, 2021

The regular meeting of the St. Augustine Port, Waterway & Beach District was held at the St. Augustine Beach City Commission Meeting Room, 2200 A1A South, St. Augustine Beach, Florida, on Tuesday, May 18, 2021.

1. CALL TO ORDER

Chairman Matt Brown called the meeting to order at 3:00, p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag of the United States of America followed.

3. ROLL CALL

Chairman Matt Brown, Vice-Chairman Chris Way, and Commissioners Tom Rivers and Jane West were present. The meeting was also attended by Secretary-Treasurer Elyse Kemper and Clay Meek, General Counsel for the District. Jim Moreno of Taylor Engineering was also present.

4. ADOPTION OF AGENDA

Chairman Brown suggested moving the New Business involving a threatened lawsuit and the contract with Taylor Engineering on the draft agenda to the following Commission meeting as both were items requested by Commissioner Flowers, who was not present. **A motion to approve the agenda with that modification was made by Chairman Brown, seconded by Commissioner West, and passed by a 4-0 vote.**

5. PUBLIC COMMENT

None

6. GOVERNMENT REPRESENTATIVE COMMENTS

Sydney Lindblad of St. Johns County Parks and Recreation Department provided an update on two matters. First, the damaged Vilano floating dock was to be replaced between June and July. Second, the issue of the increased cost of the Vilano dredging project was set to go back before the County Commission on June 1, 2021, for consideration and an interlocal agreement was hoped to be able to be presented thereafter.

Jim Piggott appeared on behalf of the City of St. Augustine. Mr. Piggott discussed a draft scope of work document and interlocal agreement for the Salt Run pylons. It was presented as an item for the Commission's consideration to be voted upon at the next meeting. Mr. Piggott indicated he did want the Commission to consider if the pilings should be concrete or wooden and it was agreed that the pilings should be wooden. The timeline of work under a request for proposal under the interlocal agreement was discussed and there was some concern over the speed of the process. It was agreed that the draft interlocal agreement would be modified slightly to allow it to be non-exclusive to allow the Port District to address issues apart from and outside of the scope of the interlocal agreement, as desired.

Mr. Piggott also advised of an upcoming visit to the St. Augustine marina by the Santa Maria over the Memorial Day weekend. Mr. Piggott further indicated that new harbor master had been serving for about one month and all had been going well.

Steve Zukowski, Patrol Supervisor Lieutenant, of the Florida Fish and Wildlife Conservation Commission ("FWC") spoke. A busy Memorial Day weekend was expected and boating accidents were already ahead of last year's pace. Two derelict vessels had just been submitted to begin the process for removal around Crane Park boat ramp area. Guana dam fishery had been active and it appeared that Red Snapper was going to be opened up for a weekend again. A Manatee Zone enforcement weekend had occurred in Flagler County and was successful with a few warnings and citations being issued. The area of FWC within which the Port District sits, Zone 1, had a new Captain, Robbie Creech. Also, Officer Specialist Megan Thomas had advanced to Investigator 1, and was staying in Zone 1. It was anticipated that Officer Steve Chamberlin would transfer to fill Megan Thomas's prior position.

Commissioner West asked about the Manatee deaths statewide due to starvation and the impact in this area and any possible steps that could be taken to help. Lieutenant Zukowski indicated that the normal waterbed floor in this area does not support significant seagrass. So, there is not significant food source to be lost and a resulting minimal impact on Manatees in this area.

7. SECRETARY-TREASURER'S REPORT

Secretary-Treasurer Kemper delivered the financial report. As of April 30, 2021, the District spent: \$150 for overtime hours of police officers of the City of St. Augustine and \$7,411 for overtime hours of deputies of the St. John's County Sheriff's Department. The State Board of Administration account had a balance of \$23,155. The Operating Account had \$277,327 as of April 30, 2021. The money market account had \$2,485,511. Taxes received as of April 30, 2021, were \$562,716, with an additional expected tax income of \$20,684 for tax year 2020-2021.

Commissioner West suggested and requested that the amount reserved for expanded waterway access with Resolution 21-01 be set forth in a separate line-item. Commissioner West suggested that this would improve transparency to the public. Secretary-Treasurer Kemper indicated such could and would be done.

8. APPROVAL OF MINUTES

A motion to approve the minutes of the April 20, 2021, regular meeting was made by Commissioner Rivers, seconded by Vice-Chairman Way, and passed by a 4-0 vote.

9. ENGINEERING REPORT

Jim Moreno indicated that there were no current open tasks involving Taylor Engineering and the District, so there was nothing upon which to report. Mr. Moreno indicated that he did have the old kayak information that had been requested to be passed along.

10. OLD BUSINESS

A. Kayak Launch List of Concerns

Chairman Brown indicated that the concerns he had were: what would be required under the ADA to make the kayak launch properly handicapped accessible; what insurance requirements and costs would be associated with the project if it was not handed off to another entity for operation after construction; how much commercial operators would come to dominate usage of the ramp as opposed to the general public; and, concerns regarding environmental impact and regulation and laws governing such.

Commissioner Rivers indicated that he continued to view the project as a waste of time and that sufficient access was already available

within walking distance at Vilano Landing. Commissioner Rivers also indicated that the launch was already being used as a launch by kayakers in a manner that limited commercial users.

Commissioner West indicated that she was concerned with the extent that bathroom accessibility might be desired by the public and the cost and liability of such. Also, Commissioner West indicated that Commissioner Blonder of the St. Augustine City Commissioner had indicated that the City was under pressure to move forward with a kayak launch project and was interested in exploring coordinating efforts. As such, Commissioner West indicated it might be best to reach out to and wait to see what the City would be interested in and/or planning to do.

Vice-Chairman Way indicated he was concerned with who would operate the launch if it was built because he was concerned with the Port District taking on the liability of operation and the ongoing tasks such as trash removal and bathroom clean-up.

Mr. Piggott indicated that he could not speak for the City Commission, but that there were significant issues and concerns with the City taking over operation of a launch if it was built. A licensing agreement would be needed with DOT, there would be insurance concerns, and the City lacked staff to operate the launch. It was reiterated that the City would be interested in a kayak launch at Riberia that the City would operate on an ongoing basis after construction once the lay-down had been completed in a year or two. Mr. Piggott cautioned that the prior estimate on cost would likely be higher than previously planned.

A consensus of all Commissioners present was reached that the Port District should avoid a course of action that ended with the Port District operating a launch on an ongoing basis. It was agreed that the goal would be to look for opportunities with the City or County to help construct a launch that either the City or County would then operate going forward.

Lieutenant Zukowski indicated he had spoken with some of the public commenters after the prior meeting to share his thoughts with them as to kayak launch options. Lieutenant Zukowski indicated that the May Street location is almost certainly wetlands, with associated permitting restrictions and limitations. Lieutenant Zukowski also stated that kayakers were concerned about Vilano because of the boat traffic. Lieutenant Zukowski further indicated

that kayakers seemed interested in launches that would stay close to and give access to the marina.

B. Digitizing Records Proposal

Commissioner Flowers was to have contacted someone at the college to see if there was another option for an internship for digitizing the records to consider, but Commissioner Flowers was not present. **A motion to table the agenda item until the following meeting was made by Chairman Brown, seconded by Commissioner Rivers, and carried by a 4-0 vote.**

11. New Business

No new business was discussed, in accord with the approved modified agenda.

12. PUBLIC COMMENT

None.

13. COMMENTS BY COMMISSIONERS

Vice-Chairman Way indicated that the quote he got for the sign discussed at the prior meeting was greater than the amount approved. Thus, the piling placement and sign were on hold pending approval of the higher amount for the sign. Fortunately, the contractor to put the piling in was still in the area and could still do the job, if approved. **A motion to increase the signage budget to \$900.00 was made by Chairman Brown, seconded by Commissioner West, and approved by a 4-0 vote.**

Commissioner West indicated that she had heard that Mr. Blow had indicated an intent or desire to put in a ramp at Antigua off 312 and asked if anyone else had heard of this. Chairman Brown recalled Mr. Blow indicating before that it would be a very good location, but there was no knowledge by anyone present of any current plans for such. Commissioner West also described a misunderstanding by the County on "secured" funds for waterway access. The matter had been clarified and cleared up and Commissioner West suggested considering coming up with criteria for review of projects in the future.

Chairman Brown described a phone call he had gotten from Mr. Wallace, which Mr. Wallace had indicated was being made to "set the record straight" about what he had and had not indicated to Commissioner Flowers. Mr. Wallace had indicated that Commissioner

Flowers had misrepresented to the Commission as a whole what he had relayed to her.

Mr. Meek indicated that he had received a call from Mr. Wallace as well. Mr. Meek indicated that his conversation with Mr. Wallace was consistent with the call described by Chairman Brown.

14. NEXT MEETING

June 15, 2021, was announced as the next meeting date. As such, the **next meeting will be at 3:00, p.m., on June 15, 2021**, at the St. Augustine Beach City Commission Meeting Room, 2200 A1A South, St. Augustine Beach, Florida.

15. ADJOURN

There being no further business, Chairman Matt Brown adjourned the meeting at 3:43, p.m.

Secretary-Treasurer

Commission Chairman Brown